

REMARKS

Claims 1, 5-30, and 35-54 are pending in the application. By this Amendment, claims 1 and 27 have been amended, and new claim 54 has been added. No new matter has been added. Applicant respectfully requests prompt reconsideration and allowance of the application.

In the Office Action, claims 1, 5, 6, 10, 11, 14-18, 21, 27, 28, 30, 36-39, 41, 43, 45, 47, 48, and 50-53 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,132,115 to Wolter et al. ("Wolter"). In addition, claims 7-9, 19, 20, 22-24, 29, 35, 40, 42, and 46 were rejected under 35 U.S.C. § 103(a) over Wolter in view of U.S. Patent No. 5,505,956 to Kim et al. ("Kim"); claims 12 and 13 were rejected under § 103(a) over Wolter in view of U.K. Patent Publication GB 2,307,862 ("GB '862"); claims 25 and 26 were rejected under § 103(a) over Wolter in view of U.S. Patent No. 5,026,552 to Gueret et al. ("Gueret"); claim 44 was rejected under § 103(a) over Wolter in view of U.S. Patent No. 6,338,839 to Auguste et al. ("Auguste"); and claim 49 was rejected under § 103(a) over Wolter in view of U.S. Patent No. 5,962,417 to Gilchrest et al. ("Gilchrest"). Applicant respectfully traverses these rejections.

Regarding claim 1, Wolter does not disclose or suggest a composite structure including, *inter alia*, at least one non-adhesive layer "configured to be placed into contact with [a] surface region." To the contrary, Wolter discloses an apparatus having skin-contacting adhesion sections 1, 7 and drug releasing sections 2 of a drug reservoir layer 5 that alternate on a single level of the skin contact surface of the apparatus. Wolter, col. 5, lines 49-55. In addition, the Examiner characterizes the drug reservoir layer 5 as an "adhesive layer containing the drug." See, Office Action dated September

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24, 2003, page 9. Wolter does not disclose or suggest any other element forming any part of the skin contact surface. Therefore, Wolter does not disclose or suggest at least one non-adhesive layer "configured to be placed into contact with the surface region," as recited in claim 1.

Regarding independent claim 27, Wolter does not disclose or suggest a method of manufacturing a composite structure comprising, *inter alia*, "assembling together [a] coated first non-adhesive layer with a second non-adhesive layer ... such that one of the first and second non-adhesive layers is configured to be placed into contact with [a] surface region." Instead, as discussed above in connection with claim 1, Wolter discloses skin-contacting adhesion sections 1, 7 and drug releasing sections 2 of a drug reservoir layer 5 that alternate on a single level of the skin contact surface of the apparatus. Wolter, col. 5, lines 49-55. Therefore, Wolter does not disclose the subject matter recited in claim 27. Accordingly the § 102(b) rejection of claims 1 and 27 based on Wolter should be withdrawn.

In addition, new independent claim 54 is patentably distinguishable over Wolter because Wolter does not disclose or suggest a structure "configured such that the adhesive matrix does not come into contact with the surface region," as recited in claim 54.

Regarding the claim rejections under Section 103, Kim, GB '862, Gueret, Auguste, and Gilchrist fail to overcome the above-noted deficiencies of Wolter and are not relied upon for such teachings. Furthermore, Applicant submits that the Office Action does not set forth a *prima facie* case of obviousness. For example, there is no teaching or suggestion to combine Wolter with Kim, GB '862, Gueret, Auguste, and/or

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Gilchrist. Accordingly, the § 103(a) rejections based on Wolter in combination with the aforementioned documents should be withdrawn.

Claims 5-26, 28-30, and 35-53 depend from either claim 1 or claim 27 and are therefore allowable for at least the same reasons claims 1 and 27 are allowable.

Accordingly, Applicant respectfully requests reconsideration of this application, withdrawal of the claim rejections, and timely allowance of the pending claims.

The Office Action contains numerous characterizations of the claims and the related art, with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicant's undersigned attorney at 202-408-4252.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§1.16 or 1.17, which is enclosed herewith, including any fees required or an extension of time under 37 C.F.R. § 1.136, please charge such fees to our deposit account no. 06-0916.

Respectfully submitted,

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